

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7647 TO 7668 OF 1996

WITH

SPECIAL CIVIL APPLICATION NO.5966 OF 1996

GIRJABEN K MEHTA

Versus

STATE OF GUJARAT

Appearance:

MR KG VAKHARIA, SENIOR COUNSEL, WITH MR TUSHAR MEHTA
for Petitioners

MR S.J. DAVE, AGP for Respondent No. 1 in SCA
Nos.7647 to 7657 of 1996.

MR MUKESH PATEL, AGP for Respondent No.1 in SCA
7658 to 7668 of 1996.

MR JITENDRA M PATEL for Respondent No. 3, 4, 5

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 04/08/1999

COMMON ORAL JUDGEMENT

1. Heard the learned counsel for the respective parties.

2. These petitions arise from orders passed under the provisions of the Urban Land (Ceiling & Regulation) Act, 1976.

3. It is common ground on both sides that the State of Gujarat adopted the Urban Land (Ceiling & Regulation) Repeal Act, 1999 on 30th March 1999.

4. It is also common ground on both sides that by virtue of section 4 of the Repeal Act, all proceedings pending on the said date shall abate.

5. It is so found and accordingly held, and the present petitions are disposed of accordingly.

6. Learned AGP states on instructions that the State

of Gujarat will abide by the Circular issued by the State Government in the Revenue Department No.ULC/1099-602/V1 dated 15th April 1999.

7. It only requires to be observed, on the particular facts of the case, that section 4 of the Repeal Act of 1999 would apply not only to the present petitions, but also to the revisional proceedings under section 34 of the Act of 1976, which were admittedly pending on 30th March 1999.

8. Rule is accordingly discharged with no order as to costs. Interim relief if any stands vacated.

04.08.1999 (Y.B. BHATT J.)